IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTIETH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 27061 of 2001

Between:

1. A.P. Genoco rep. By its Chairman & Managing Director,

Vidout Soudha, Hyderabad & another

2. The Chief Engineer (O & M), Vijayawada Thermal Power Station,

A.P. Genco, Ibrahimpatnam, Krishna District

.. PETITIONERS

.

AND

1. The Deputy Commissioner of Labour, Zone-II, Eluru, W.G.Dist.

2. Chimata Bhaskar Rao, S/o.Hanumantha Rao, A/25 yrs.

3. Md.Madhukar, S/o.Md. Khaja Myia, A/32 yrs.,

4. Ch.Srinivasa Rao, S/o.Nageswara Rao, aged 36 yrs.,

5. Shaik Khajamiya, S/o.Basha Miya, aged 27 years,

6. Muppa Srinu, S/o.Raghavaiah, aged 27 years,

7. Vemada Srinivasa Rao, S/o.V.Nana Rao, aged 27 years,

8. Ch.Indira Rao, S/o.Ch.Adinarayana, aged 25 years

9. D.Kondalu, S/o.Subba Rao, aged 32 years,

10.G.Pratap, S/o.Devaiah, aged 30 years,

11.K.Kushudu, S/o.Bushanam, aged 32 years,

12.Md.Abdul Kareem, S/o.Md.Yakoob, aged 30 years,

13.V.Nagamalleswara Rao, S/o.Kalahasti, aged 26 years,

14.M.Venkataramana, S/o.M.Veeranna, aged 26 years,

15.B.Sambaiah, S/o.Yellaiah, aged 28 years,

16.B.Venkateswara Rao, S/o.Adinarayana, aged 26 years,

17.S.Ramu, S/o.Veeraiah, aged 29 years,

18.K.V.Ch.Anandkumar, S/o.Nageswara Rao, aged 35 years,

19.K.Laxminarayana, S/o.Nageswara Rao, aged 32 years,

20.K.Srinivasa Rao, S/o.Venkateswara Rao, aged 26 years,

21.K.Ramesh, S/o.Nagaiah, aged 21 years,

22.D.Srinivasa Rao, S/o.Mutyala Rao, aged 31 years,

23.A.V.S.Kumar, S/o.Pichaiah, aged 28 years,

(All are Contract Labour in M/s.Vijayawada Thermal Power Station,

Ibrahimpatnam, Krishna District)

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction more fully in the nature of Mandamus declaring the action of the 1st respondent herein in issuing notice, dated 3.8.2001 as illegal, improper, arbitrary and consequently declare the respondent Nos.2 to 23 are not entitled to absorption in the service of A.P.Genco.

Counsel for the Petitioner: MR.S.RAVINDRANATH

Counsel for the Respondents: Mr.G.V.Shivaji

The Court made the following :

ORAL ORDER:

The petitioners have filed this writ petition questioning the Notice, dated 3.8.2001 issued by the 1st respondent-Deputy Comissioner of Labour, Zone-I, Eluru for conducting enquiry pursuant to the directions issued by this Court in W.P.No.11366 of 1999, dated 2.8.2000.

The learned counsel for the respondents submits that the Deputy Commissioner of Labour has already completed the enquiry and submitted a report on 21.1.2002. Therefore, the writ petition questioning the notice, dated 3.8.2001 has become infructuous as enquiry has been completed and its report has also been submitted.

The writ petition is accordingly dismissed as infructuous. No costs.

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(V.ESWARAIAH,J.)

30th August, 2004.

Bcj/dsk

To

1. The Deputy Commissioner of Labour, Zone-II, Eluru, W.G.Dist.

2. Two C.Cs. to the Government Pleader for Labour, High Court Buildings, Hyderabad (OUT)

3. Two C.D. copies